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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,049	10/07/2003	Jerome C. Bressi	SYR-HDAC-5002-U	5114
32793	7590	05/06/2005	EXAMINER	
SYRRX, INC. 10410 SCIENCE CENTER DRIVE SAN DIEGO, CA 92121			DAVIS, BRIAN J	
			ART UNIT	PAPER NUMBER
			1621	
DATE MAILED: 05/06/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION*****Election/Restrictions***

Claims 1-118 are generic to a plurality of disclosed patentably distinct species comprising the compounds described by the formula of claim 1, for instance, the set of compounds described when one of R<sup>1</sup>- R<sup>4</sup> is a heterocyclic ring and the set of compounds described when none of the variables is a heterocyclic rings. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species, even though this requirement is traversed. The examiner respectfully requests that the elected species be explicitly defined in terms of the variables of the formula of claim 1.

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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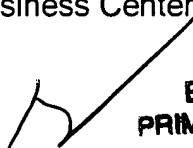
remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Davis whose telephone number is 571-272-0638. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**BRIAN DAVIS**  
**PRIMARY EXAMINER**

Brian J. Davis  
May 2, 2005